



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,791	10/03/2003	Patrick Segur	1356-03	3896
35811	7590	06/10/2004	EXAMINER	
IP DEPARTMENT OF PIPER RUDNICK LLP ONE LIBERTY PLACE, SUITE 4900 1650 MARKET ST PHILADELPHIA, PA 19103			SMITH, RICHARD A	
			ART UNIT	PAPER NUMBER
			2859	

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. **UK**

10/678,791

Applicant(s)

SEGUR, PATRICK

Examiner

R. Alexander Smith

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 14-16 and 18 is/are rejected.
- 7) ☒ Claim(s) 2-13, 17, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20031215.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to because:
 - a. Figure 1 is the prior art and needs to be labeled as such.
 - b. Figure 6, one of the zones in the top row is not labeled and should be labeled as -2.
 - c. Figure 6, the zone in the top row labeled as "4" should be --2--.
 - d. Figure 10, there are two zones side by side with the same identification of "6.964".

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The specification is objected to because of the following informalities:
 - a. On page 8 for the description of Figure 5, it says the sphere is divided into "19" zones when it appears to the examiner that this should be --18-- zones.
 - b. Throughout the specification, including the claims, there is discussion of zones of inferior rank n. However, it appears in some cases that the applicant has identified an

inferior rank as "n+1" and "n". It appears to the examiner that one of these must be in error. For example, using claim 1 lines 5-8, it states that "each of the zones of rank n+1 of inferior rank n" and then immediately follows with "and a zone of rank n is position referenced". N is used to simultaneously represents an inferior rank and a rank. The rank was previously identified as being "n+1" and not "n". Although the examiner understands that the zones are in a cascading relationship and all inferior ranks are relative, the examiner requests that the applicant review the language for clarity or proper antecedent basis between the ranks.

Claim Objections

3. Claims 1-17 and 19 are objected to because of the following informalities:

Claims 1, 17 and 19: The use of "and/or" at the end of each claim makes the claim language indefinite since the bounds of the claim cannot be determined.

Claim 2: "nine zones of first rank" in line 2 does not properly refer to its antecedent.

Claim 3: It is unclear to the examiner how each zone of rank n can have the same surface, for if the zones had the same surface then the zones would not distinguish position.

Art Unit: 2859

Claim 5: In the second to last line, it appears to the examiner that --and-- should be inserted after "the radial planes".

Claim 7: "for directrix curve the contour" in lines 3-4 appears to be grammatically incorrect.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. 5,445,524 to Jones.

With respect to means for transmitting and/or receiving and/or displaying and/or using such a position referencing sequence: In this case, the examiner is treating and/or as being in the alternative in which case Jones discloses displaying or using such a position referencing sequence. Furthermore, Jones discloses that the system be may easily computerized to serve in storing and retrieval of a particular map of a section of a geographical region (column 10, lines 5-36) and is used to help locate a specific location.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones in view of U.S. 5,030,117 to Delorme.

Jones teaches all that is claimed as discussed in the above rejections of claim 1 except for a tool designed to be pointed at a point and means for pointing the tool in a zone determined by said position referencing sequence; and wherein the surface in which a zone is to be localized is a digital image constituted by pixels and cutting the image into zones adapted to the size and number of pixels of the image.

Delorme discloses a tool to be pointed (a computer mouse and keyboard with cursor control, column 8, lines 58-64) and means for pointing the tool (either the user with his hands, the monitor on which said cursor is shown, or the computer itself) and wherein the zones are localized in a digital image constituted by pixels (via Dolorme's discussion with respect to variable resolution of the monitor display as illustrated in figures 3A-3F and as discussed in

Art Unit: 2859

column 8, lines 48-57 and the discussion of resolution, dot coordinates, and dot vectors throughout the specification) and cutting the image into zones into the size and number of pixels (as illustrated in figures 8 through 19 with the associated text). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system which easily adapted to computer, taught by Jones, to include a tool, to localize the zones into a digital image constituted by pixels, and to cut the image into zones, as taught by Delorme, in order to allow the user to quickly and easily move from crude resolution, e.g. figure 3A, to fine resolution, e.g., figure 3F, and back again to view a different location at varying resolutions.

8. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones in view of U.S. 3,599,350 to Moskowitz.

Jones teaches all that is claimed as discussed in the above rejections of claim 1 except for a calculator adapted to the conversion of numbers of base 10 to base 9 and vice versa.

Moskowitz discloses a calculator that converts base 2 through 9 to its decimal equivalent (column 1, lines 46-51) in order to help a user understand digital computation and to provide decimal numbers which are instantly recognized and read on paper or in the head (column 1, lines 23-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system, taught by Jones, by providing a base 9 conversion to decimal data, as taught by Moskowitz, in order to provide data which is easily understood by the average person and to help a user perform conversions between different map systems.

Art Unit: 2859

9. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 5,445,524 to Jones in view of U.S. 5,030,117 to Delorme and U.S. 3,599,350 to Moskowitz.

Jones discloses a zone of a plane or space and successive divisions of sides into 3 and automatic numbering of the divisions by 3 of the sides as well as interior zones that it delimits and discloses that the system be may easily computerized to serve in storing and retrieval of a particular map of a section of a geographical region (column 10, lines 5-36).

Jones does not teach the computer program comprising code enabling enclosure of said zone and code enabling calculations to be performed in base 9 and converted to decimal data.

Delorme disclose a computer program having code which can enable enclosure of a zone and which enables calculations in base 2, base 10 and base 16 to define naming and resolution. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the zoning and system, taught by Jones, to add the coding and the base calculations as suggested by Delorme, in order to more easily assist the user in identifying a particular zone or resolution and to allow access to the varying resolution of maps.

Moskowitz discloses a calculator that converts base 2 through 9 to its decimal equivalent (column 1, lines 46-51) in order to help a user understand digital computation and to provide decimal numbers which are instantly recognized and read on paper or in the head (column 1, lines 23-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system, taught by Jones as modified by Delorme, to provide a base 9 conversion to decimal data, as taught by Moskowitz, in order to provide data which is easily understood by the average person.

Allowable Subject Matter

10. Claims 17 and 19 would be allowable if rewritten to overcome the claim objections set forth in this Office Action.

11. Claims 2-13 and 20 would be allowable if rewritten to overcome the claim objections set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims.

12. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The prior art cited in PTO-892 and not mentioned above disclose related systems and programs.

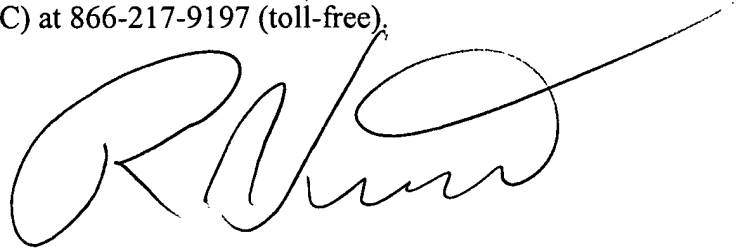
Art Unit: 2859

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Alexander Smith whose telephone number is 571-272-2251.

The examiner can normally be reached on Monday through Friday from 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'R. Alexander Smith', with a long horizontal stroke extending to the right.

R. Alexander Smith
Examiner
Technology Center 2800

RAS
June 1, 2004